

26 | harm has occurred, the following factors must be considered in
27 | evaluating any physical, mental, or emotional injury to a child:
28 | the age of the child; any prior history of injuries to the
29 | child; the location of the injury on the body of the child; the
30 | multiplicity of the injury; and the type of trauma inflicted.

31 | Such injury includes, but is not limited to:

- 32 | 1. Willful acts that produce the following specific
33 | injuries:
- 34 | a. Sprains, dislocations, or cartilage damage.
 - 35 | b. Bone or skull fractures.
 - 36 | c. Brain or spinal cord damage.
 - 37 | d. Intracranial hemorrhage or injury to other internal
38 | organs.
 - 39 | e. Asphyxiation, suffocation, or drowning.
 - 40 | f. Injury resulting from the use of a deadly weapon.
 - 41 | g. Burns or scalding.
 - 42 | h. Cuts, lacerations, punctures, or bites.
 - 43 | i. Permanent or temporary disfigurement.
 - 44 | j. Permanent or temporary loss or impairment of a body
45 | part or function.

46 |
47 | As used in this subparagraph, the term "willful" refers to the
48 | intent to perform an action, not to the intent to achieve a
49 | result or to cause an injury.

- 50 | 2. Purposely giving a child poison, alcohol, drugs, or

51 other substances that substantially affect the child's behavior,
52 motor coordination, or judgment or that result in sickness or
53 internal injury. For the purposes of this subparagraph, the term
54 "drugs" means prescription drugs not prescribed for the child or
55 not administered as prescribed, and controlled substances as
56 outlined in Schedule I or Schedule II of s. 893.03.

57 3. Leaving a child without necessary adult supervision or
58 arrangement appropriate for the child's age or mental or
59 physical condition, so that the child is unable to care for the
60 child's own needs, is subjected to obvious danger of which the
61 child's caregiver knew or should have known, ~~or another's basic~~
62 needs or is unable to exercise minimally acceptable ~~good~~
63 judgment to avoid serious harm to himself, herself, or others in
64 responding to any kind of physical or emotional crisis. This
65 subparagraph does not restrict a caregiver from allowing a child
66 of sufficient maturity and physical condition to engage in
67 independent unsupervised activities, including traveling to or
68 from school or nearby locations by bicycle or on foot, playing
69 outdoors, or remaining at home or another location for a
70 reasonable period of time, unless allowing such activities
71 constitutes conduct that is so grossly negligent as to endanger
72 the health or safety of the child.

73 4. Inappropriate or excessively harsh disciplinary action
74 that is likely to result in physical injury, mental injury as
75 defined in this section, or emotional injury. The significance

76 | of any injury must be evaluated in light of the following
77 | factors: the age of the child; any prior history of injuries to
78 | the child; the location of the injury on the body of the child;
79 | the multiplicity of the injury; and the type of trauma
80 | inflicted. Corporal discipline may be considered excessive or
81 | abusive when it results in any of the following or other similar
82 | injuries:

- 83 | a. Sprains, dislocations, or cartilage damage.
- 84 | b. Bone or skull fractures.
- 85 | c. Brain or spinal cord damage.
- 86 | d. Intracranial hemorrhage or injury to other internal
87 | organs.
- 88 | e. Asphyxiation, suffocation, or drowning.
- 89 | f. Injury resulting from the use of a deadly weapon.
- 90 | g. Burns or scalding.
- 91 | h. Cuts, lacerations, punctures, or bites.
- 92 | i. Permanent or temporary disfigurement.
- 93 | j. Permanent or temporary loss or impairment of a body
94 | part or function.
- 95 | k. Significant bruises or welts.

96 | (f) Neglects the child. Within the context of the
97 | definition of "harm," the term "neglects the child" means that
98 | the parent or other person responsible for the child's welfare
99 | fails to supply the child with adequate food, clothing, shelter,
100 | or health care, although financially able to do so or although

101 offered financial or other means to do so. However, the conduct
 102 described by this paragraph does not include allowing a child to
 103 engage in independent unsupervised activities, unless allowing
 104 such activities constitutes grossly negligent conduct that
 105 endangers the health or safety of the child. Such independent
 106 unsupervised activities include traveling to or from school or
 107 nearby locations by bicycle or on foot, playing outdoors, or
 108 remaining at home or another location for a reasonable period of
 109 time. ~~However,~~ A parent or legal custodian who, by reason of the
 110 legitimate practice of religious beliefs, does not provide
 111 specified medical treatment for a child may not be considered
 112 abusive or neglectful for that reason alone, but such an
 113 exception does not:

114 1. Eliminate the requirement that such a case be reported
 115 to the department;

116 2. Prevent the department from investigating such a case;
 117 or

118 3. Preclude a court from ordering, when the health of the
 119 child requires it, the provision of medical services by a
 120 physician, as defined in this section, or treatment by a duly
 121 accredited practitioner who relies solely on spiritual means for
 122 healing in accordance with the tenets and practices of a well-
 123 recognized church or religious organization.

124 **Section 2. Paragraph (e) of subsection (1) of section**
 125 **827.03, Florida Statutes, is amended to read:**

126 827.03 Abuse, aggravated abuse, and neglect of a child;
 127 penalties.—

128 (1) DEFINITIONS.—As used in this section, the term:

129 (e) "Neglect of a child" means:

130 1. A caregiver's willful failure or omission to provide a
 131 child with the care, necessary supervision, and services
 132 necessary to maintain the child's physical and mental health,
 133 including, but not limited to, food, nutrition, clothing,
 134 shelter, necessary supervision, medicine, and medical services
 135 that a prudent person would consider essential for the well-
 136 being of the child. However, the conduct described by this
 137 subparagraph does not include allowing a child to engage in
 138 independent unsupervised activities, unless allowing such
 139 activities constitutes willful and wanton conduct that endangers
 140 the health or safety of the child. Such independent unsupervised
 141 activities include traveling to or from school or nearby
 142 locations by bicycle or on foot, playing outdoors, or remaining
 143 at home or another location for a reasonable period of time; or

144 2. A caregiver's failure to make a reasonable effort to
 145 protect a child from abuse, neglect, or exploitation by another
 146 person.

147
 148 Except as otherwise provided in this section, neglect of a child
 149 may be based on repeated conduct or on a single incident or
 150 omission that results in, or could reasonably be expected to

151 result in, serious physical or mental injury, or a substantial
152 risk of death, to a child.

153 **Section 3. For the purpose of incorporating the amendment**
154 **made by this act to section 39.01, Florida Statutes, in a**
155 **reference thereto, subsection (2) of section 984.03, Florida**
156 **Statutes, is reenacted to read:**

157 984.03 Definitions.—When used in this chapter, the term:

158 (2) "Abuse" means any willful act that results in any
159 physical, mental, or sexual injury that causes or is likely to
160 cause the child's physical, mental, or emotional health to be
161 significantly impaired. Corporal discipline of a child by a
162 parent or guardian for disciplinary purposes does not in itself
163 constitute abuse when it does not result in harm to the child as
164 defined in s. 39.01.

165 **Section 4. For the purpose of incorporating the amendment**
166 **made by this act to section 39.01, Florida Statutes, in a**
167 **reference thereto, paragraph (b) of subsection (2) of section**
168 **390.01114, Florida Statutes, is reenacted to read:**

169 390.01114 Parental Notice of and Consent for Abortion
170 Act.—

171 (2) DEFINITIONS.—As used in this section, the term:

172 (b) "Child abuse" means abandonment, abuse, harm, mental
173 injury, neglect, physical injury, or sexual abuse of a child as
174 those terms are defined in ss. 39.01, 827.04, and 984.03.

175 **Section 5. For the purpose of incorporating the amendment**

176 **made by this act to section 827.03, Florida Statutes, in a**
177 **reference thereto, paragraph (b) of subsection (2) of section**
178 **39.301, Florida Statutes, is reenacted to read:**

179 39.301 Initiation of protective investigations.—

180 (2)

181 (b) As used in this subsection, the term "criminal
182 conduct" means:

183 1. A child is known or suspected to be the victim of child
184 abuse, as defined in s. 827.03, or of neglect of a child, as
185 defined in s. 827.03.

186 2. A child is known or suspected to have died as a result
187 of abuse or neglect.

188 3. A child is known or suspected to be the victim of
189 aggravated child abuse, as defined in s. 827.03.

190 4. A child is known or suspected to be the victim of
191 sexual battery, as defined in s. 827.071, or of sexual abuse, as
192 defined in s. 39.01.

193 5. A child is known or suspected to be the victim of
194 institutional child abuse or neglect, as defined in s. 39.01,
195 and as provided for in s. 39.302(1).

196 6. A child is known or suspected to be a victim of human
197 trafficking, as provided in s. 787.06.

198 **Section 6.** This act shall take effect July 1, 2025.